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September 2, 2008

The Honorable Susan Illston  
United States District Court  
for the Northern District of California  
450 Golden Gate Avenue, 19<sup>th</sup> Floor  
Courtroom 10  
San Francisco, CA 94102

**Re: Larry Bowoto, et al., v. ChevronTexaco Corporation, Case No. C-99-2506 SI -  
Plaintiffs' Request for Telephonic Hearing on Trial Issues Arising from Visa Problems**

Dear Judge Illston:

Recognizing that the Court will be unavailable to us for several weeks this month, plaintiffs seek a telephonic hearing on several matters that must be resolved while the Court is still in session this week. Because of the problems plaintiffs and their counsel have experienced in obtaining visas to travel to the United States for the federal court trial and in securing a visa for plaintiffs' counsel to travel to Nigeria, plaintiffs will request the following orders from the Court:

1. An order permitting plaintiffs to take trial preservation depositions for any plaintiff or witness whom plaintiffs have sought to put on live at trial but for whom they may be unable to secure visas allowing travel to the United States for the upcoming trial;
2. In the alternative, an order permitting plaintiffs to present the trial testimony of Nigerian plaintiffs and witnesses through video-conferencing technology;
3. An order directing defendants to secure from their Nigerian subsidiary, Chevron Nigerian Limited, a letter or letters inviting plaintiffs' counsel to come to Nigeria so they can meet with their clients and other witnesses, take trial preservation depositions, and/or present testimony at trial through video-conferencing technology; and

4. An order continuing from September 15, 2008 to October 13, 2008 the date for designating deposition testimony for plaintiff or witness whom plaintiffs have sought to put on live at trial but for whom they may be unable to secure visas allowing travel to the United States for the upcoming trial. The September 15<sup>th</sup> date was set by the Court during the Case Management Conference on August 25, 2008, as the last date for designating such deposition testimony before the then-scheduled September 29<sup>th</sup> trial. The continuance requested would establish the same schedule based on the new trial date of October 27<sup>th</sup>, and would provide plaintiffs with the time they need to make further attempts to seek visas, take trial preservation depositions, and/or set up video-conferencing technology for trial testimony from Nigeria.

Because of the importance of having these matters resolved before the Court returns in late September, plaintiffs request that the Court set a telephonic hearing on these matters this week. Plaintiffs have asked defense counsel to stipulate to each of the above. Defense counsel Robert Mittelstaedt has indicated that defendants oppose each of plaintiffs' requests and further oppose the request for a hearing.

Very truly yours,

/s/

Theresa M. Traber  
Attorneys for Plaintiffs Larry Bowoto, *et al.*